



342 F.3d 563, 567 (5th Cir. 2003) (internal quotation marks omitted). “Relief under Rule 59(e) is also appropriate when there has been an intervening change in the controlling law.” *Id.*

Here, Plaintiff has failed to identify a manifest error of law or fact or present newly discovered evidence demonstrating that the judgment that was entered in this case is incorrect. Nor has Plaintiff shown that relief under Rule 59(e) is appropriate because of a change in controlling case law. To the contrary, two recent Fifth Circuit opinions corroborate this Court’s entry of judgment in favor of Defendant. *See Reinagel v. Deutsche Bank Nat’l Trust Co.*, --- F.3d ---, 2013 WL 3480207 (5th Cir. July 11, 2013); *Martins v. BAC Home Loans Servicing, L.P.*, --- F.3d ---, 2013 WL 3213633 (5th Cir. June 26, 2013).

Accordingly, Plaintiff’s Motion for New Trial and for Rehearing (Doc. No. 30) is DENIED.

SIGNED this 19th day of July, 2013.

A handwritten signature in black ink, appearing to read 'Xavier Rodriguez', with a horizontal line underneath it.

XAVIER RODRIGUEZ  
UNITED STATES DISTRICT JUDGE